

II. Remarks

The Examiner is requested to reconsider the application, please reconsider the application in view of the amendment and remarks set forth below.

Applicant wishes to take this opportunity to thank the Examiner for the interview of 18 January 2005. To elaborate on the interview summary, with regard to claim 1, Applicant respectfully requested an explanation as to how Woo teaches ones that can send and receive ... communications including a respective video, graphic, or pointer-triggered message. Woo appears to teach only one computer (singular) that can send more than text, i.e., the chairperson computer. Without the ones that can send and receive, there would seem to be no reason for Woo to use predefined rules including a test for an authenticated user identity, to determine which ones... can form a group to send and receive.... Claim 1 and claim 435 have been amended for clarity.

In the Office Action of 1 December 2004, claims 1-949 have been rejected pursuant to 35 U.S.C. Sec. 103. Generally, the Examiner has contended that these claims are obvious over Woo in view of Schoof in contentions more precisely set out in the Office Action.

In response, reconsideration and further explanation or allowance is respectfully requested. Applicant respectfully requests an Examiner explanation as to how Woo teaches ones, as per the request and remarks set out above.

Note too that Woo seems to disclose several embodiments, including one at Para 26, which uses 3 clicks to obtain a message and is not real-time. As to the embodiment at Para. 29 that involves users downloading a Yxsimp client to run at the local workstation, Applicant does not understand how the claimed predefined rules including a test for an authenticated user identity would work or be disclosed as per Schoof where the client runs at the local workstation. Information and an explanation are again respectfully requested.

With regard to Schoof, in view of Woo's teaching in Para. 29 that users are

“recommended to download Yxsimp and run it from their local workstation,” the Examiner is also requested to explain the reason to combine with Schoof. This disclosed local use of Yxsimp would seem to be insecure with or without Schoof.

Regarding claim 165, the Examiner contends in the Office Action at page 5 that Woo teaches “obtaining a respective authenticated user...” but at page 5, it is conceded that “Woo does not specifically teach the authenticated user identity.” The Examiner’s explanation is required, and more so in view of the point raised in the preceding paragraph that the Woo-disclosed local use of Yxsimp would seem to be insecure with or without Schoof. Other claim distinctions exist too. Applicant respectfully submits that the cited art does not teach the claimed step of:

using said authenticated user identity to communicate a pointer-triggered message from one of said participator computers to said controller computer and from said controller computer to an other of said participator computers.

As stated above: Woo appears to teach only one computer (singular) that can send more than text, i.e., the chairperson computer. This is particularly evident in that the cited art does not teach the claimed use of “the authenticated user identity” in this step and in the claim as a whole.

Finally, as evidence of unobviousness, Applicant wishes to call the Examiner’s attention to U.S. Patent No. 5,764,916 titled: “Method and Apparatus for Real Time Communication over a Computer Network,” a copy of which is enclosed. This Ichat patent was filed about half a year after the instant application’s priority date and is directed to a method including “...embedding a hyperlink instruction in a message using the first real time chat client...” (but does not show recognition of the instant Claim 1 requirement of:

arbitrating with the controller computer, in accordance with predefined rules including a test for an authenticated user identity, to determine which ones

of the participator computers can form a group to send and receive communications...)

Ichat of Apple fame, and the PTO, felt that this method was inventive in an application filed about half a year later than the instant priority date, which is evidence that the instant invention mention of pointer-triggered message was not obvious to those having ordinary skill in the art at the time of the instant invention. Should allowance not follow herefrom, a response to this evidence of non-obviousness from the industry is respectfully requested.

With regard to other rejected claims, the contention at page 6 of the Office Action that the language of claims 2-164 and 166-949 are substantially the same as the statements made in paragraphs 3, etc. is respectfully traversed. The rejection is improper pursuant to 35 U.S.C. Sec. 132, and if the rejection is maintained, Applicant respectfully requests a more detailed explanation of the rejection, i.e., pursuant to 35 U.S.C. Sec. 132, "the reasons for such rejection... together with such information as may be useful in judging the propriety of continuing prosecution...".

New claims 949-954 are believed to raise no new issue with added precision in certain respects, such that the cited art is believed to be even less applicable. Again Woo appears to teach only one computer (singular) that can send more than text, i.e., the chairperson computer. The cited art does not teach the claimed "user identity" in connection with the claim as a whole. Should there be any question, the Examiner is requested to call the undersigned.

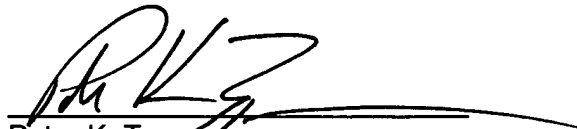
Respectfully, the application is believed to be in condition for allowance, and favorable action is requested. If the prosecution of this case can be in any way advanced by a telephone discussion, the Examiner is requested to call the undersigned at (312) 240-0824.

The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235, and

if any extension of time is needed, this shall be deemed a petition therefor. Please direct all communication to the undersigned at the address given below.

Respectfully submitted,

Date: March 21, 2005

A handwritten signature in black ink, appearing to read 'Peter K. Trzyzna', written over a horizontal line.

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